

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NATIONAL URBAN LEAGUE, et al.,
Plaintiffs,
v.
WILBUR L. ROSS, et al.,
Defendants.

Case No. 20-CV-05799-LHK

CASE MANAGEMENT ORDER

Attorneys for Plaintiffs National Urban League; League of Women Voters; Black Alliance for Just Immigration; Harris County, Texas; King County, Washington; City of San Jose, California; Rodney Ellis; Adrian Garcia; NAACP: Sadik Huseny, Melissa Arbus Sherry, Anne Robinson, and Steven Bauer
Attorneys for above Plaintiffs and Navajo Nation: Ajay Saini and Thomas Wolf
Attorney for Plaintiff Navajo Nation: Jason Searle
Attorney for Plaintiff City of Los Angeles: Danielle Goldstein
Attorney for Plaintiff County of Los Angeles: David Holtzman
Attorney for Plaintiff City of Salinas: Michael Mutalipassi
Attorney for Plaintiff City of Chicago: Rebecca Hirsch
Attorney for Plaintiff Gila River Indian Community: Merrill Godfrey
Attorneys for Defendants: John Coghlan, Diane Kelleher, Brad Rosenberg, and Alexander Sverdlov

On January 11, 2021, the Court held a case management conference. The Court set a

1 further case management conference for January 15, 2021 at noon. The parties shall file a joint
2 discovery status report by January 15, 2021 at 9 a.m.

3 Defendants must review all documents that Defendants have segregated for Defendant's 7
4 search terms ("DOJ," "usdoj.gov", "WP", "declaration" within 10 of "draft," "ACP," "attorney
5 client," and "work product") or possible attorney work-product: (1) for which no attorney is the
6 sender, recipient or carbon copied recipient, or (2) for which Michael Cannon, Melissa Creech
7 and/or Miles Ryan is the sender, recipient or carbon copied recipient. Based on Defendants'
8 review, Defendants must log the privileged documents on Defendants' privilege log; produce the
9 responsive, non-privileged documents to Plaintiffs; or produce the non-responsive documents to
10 the Magistrate Judge Panel for in camera review. Defendants shall file a declaration that they
11 have completed this review by January 14, 2021. Defendants shall produce the privilege log and
12 start producing the documents from this review to Plaintiffs and the Magistrate Judge Panel by
13 January 15, 2021.

14 By January 12, 2021, Defendants shall file a declaration identifying all the dates of their
15 document collections and identifying the custodians from whom documents were collected for
16 each of these collections.

17 By January 12, 2021, Defendants shall file a declaration stating that there are no further
18 documents of Census Bureau Chief Operating Officer Enrique Lamas that need to be produced
19 and explaining how and when Chief Operating Officer Lamas' documents were collected.

20 By January 14, 2021, Defendants shall file a declaration explaining how and when the
21 Data Quality Executive Governance Group's documents were collected and identifying the
22 documents produced from this group.

23 By January 15, 2021, Defendants shall file a declaration stating that there are no further
24 documents of Associate Director for Field Operations Timothy Olson that need to be produced
25 and explaining how and when Associate Director Olson's documents were collected.

26 Defendants shall file the document retention policies of the Census Bureau and the
27 Department of Commerce by January 15, 2021.

At the case management conference, Defendants stated that they would be producing 3 witnesses, specifically Associate Director for Decennial Census Programs Albert E. Fontenot, Jr., Assistant Director for Field Operations James T. Christy, and Chief of the Decennial Informational Technology Division Barbara M. LoPresti, for the Census Bureau's 30(b)(6) deposition. Plaintiffs shall have a total of 17 hours for these 3 witnesses' depositions.

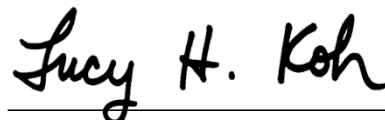
The Court extends the number of interrogatories from 10 to 15 for each side.

The Court extends the fact discovery cut-off from January 21, 2021 to January 22, 2021. For the convenience of the parties, the case schedule with the new fact discovery cut-off is produced below.

Scheduled Event	Date
Close of Fact Discovery	January 22, 2021
Opening Expert Reports	January 26, 2021
Rebuttal Expert Reports	February 2, 2021
Close of Expert Discovery	February 9, 2021
Cross-Motions for Summary Judgment (one per side in the entire case)	February 16, 2021
Cross-Oppositions to Motions for Summary Judgment	February 23, 2021
Hearing on Motions for Summary Judgment	March 2, 2021 at 1:30 p.m.
Motions in Limine (three per side, limited to three pages each)	March 5, 2021
Oppositions to Motions in Limine	March 8, 2021
Final Pretrial Conference	March 11, 2021 at 1:30 p.m.
Jury Trial	March 19, 2021 at 9:00 a.m.
Length of Trial	5 days

IT IS SO ORDERED.

Dated: January 11, 2021



LUCY H. KOH
United States District Judge